



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 211	Assembly Amendments 1, 3, and 4
<i>Memo published: June 15, 2005</i>	<i>Contact: Rachel E. Letzing, Staff Attorney (266-3370)</i>

Assembly Amendment 1 addresses that portion of Assembly Bill 211 which requires the Department of Transportation (DOT) to disclose any information it obtains from driver's license and vehicle title applications to the Department of Revenue (DOR) for the purpose of administering state taxes and collecting debt through the tax refund intercept program. Under current law, information provided on driver's licenses and vehicle title applications includes the applicant's full name, address, date of birth, hair and eye color, sex, height, weight, race, Social Security number, and signature. Assembly Amendment 1 limits the types of information that DOT must provide to DOR to names, addresses, driver's license numbers, and Social Security numbers.

Assembly Amendment 3 addresses that portion of Assembly Bill 211, which relates to setoffs from tax refunds. Current law provides that counties and municipalities may certify any unpaid parking citation, fine, fee, restitution, forfeiture, or judgment of at least \$20, or any other debt of at least \$20, except debt related to property taxes, that is unpaid and for which the county or municipality has provided the debtor reasonable notice and an opportunity to be heard, to the DOR. The DOR then uses the tax refund intercept program to intercept, or setoff, the amount the debtor owes to the county or municipality against any state tax refund, refundable credit, or lottery prize issued by DOR to the debtor. On a quarterly basis, the DOR charges counties and municipalities an administrative fee of 2% of the intercepted amount.

Current law also authorizes state agencies to certify any unpaid debt that has been reduced to a judgment, as well as several other types of debts as specified by statute, including delinquent child or spousal support payments, exceeding \$20 to the DOR so that DOR may use the tax refund intercept program to deduct that unpaid debt from any state tax refund, refundable credit, or lottery prize issued by the DOR to the debtor. On a quarterly basis, the DOR charges state agencies an administrative fee of 2% of the intercepted amount.

Assembly Bill 211 authorizes the DOR to charge the 2% administrative fee to the person who owes an unpaid debt to a county or municipality, rather than charging the fee to the county or

municipality that certified the debt to the DOR. Assembly Amendment 3 also authorizes the DOR to charge the 2% administrative fee to the person who owes an unpaid debt to a state agency, rather than charging the fee to the state agency that certified the debt to the DOR. In addition, Assembly Amendment 3 deletes the phrase “At the time of each settlement” from SECTION 5 of the bill so that the bill is identical to the amendment regarding the point at which DOR charges the 2% administrative fee.

Assembly Amendment 4 provides that an authority, including a state or local office, agency, or department, must not provide access to personally identifiable information that contains an individual’s account or customer number, including credit card numbers, debit card numbers, checking account numbers, or draft account numbers, unless specifically required by law.

Legislative History

Assembly Amendments 1 and 3 were offered by Representatives Gottlieb and Seidel. Assembly Amendment 4 was offered by Representatives Seidel, Schneider, and Gottlieb. The amendments were adopted by the Assembly on a voice vote.

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